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10 Attorneys for Defendants
SUNAMERICA SECURITIES, INC., and AIG
11 FINANCIAL ADVISORS, INC.

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 DEREK HAVEL, on behalf of himself and
all others similarly situated, and on behalf
17 of the General Public,

18 Plaintiff,

19 vs.

20 SUNAMERICA SECURITIES, INC., AIG
FINANCIAL ADVISORS, INC., and
21 DOES 1 TO 10, inclusive,

22 Defendants.

Case No. C 06-04543 PJH

**STIPULATION OF DISMISSAL WITH
PREJUDICE AND [~~PROPOSED~~] ORDER**

23 IT IS HEREBY STIPULATED by Plaintiff Derek Havel and Defendants SunAmerica
24 Securities, Inc. and AIG Financial Advisors, Inc., (collectively “the Parties”), through their
25 respective counsel, that the above-captioned action be and hereby is dismissed with prejudice
26 with respect to Plaintiff Derek Havel’s individual claims pursuant to Federal Rule of Civil
27 Procedure 41(a)(1)(ii). This dismissal is pursuant to a settlement reached by the Parties which
28 resolves any and all claims between them.

IT IS FURTHER STIPULATED that the allegations asserted by Plaintiff Derek Havel on behalf of a putative class be and hereby are dismissed without prejudice. Under Rule 23 of the Federal Rules of Civil Procedure, as amended in 2003, notice to the putative class “is not required when the settlement binds only the individual class representatives.” *See Advisory Committee Notes on 2003 Amendments to Rule 23, Subdivision (e), Paragraph (1)*. This settlement binds only Plaintiff Derek Havel, and does not resolve the claims, issues or defenses of a certified or putative class. Except as set forth in the Settlement Agreement between the parties, each party is to bear its own costs and attorneys’ fees.

Dated: July 17, 2007

KELLER GROVER LLP
ERIC A. GROVER
VALERIE L. SHARPE
JADE BUTMAN
ELIZABETH A. ACEVEDO

By /s/ Eric A. Grover

Eric A. Grover
Attorneys for Plaintiff,
DEREK HAVEL

Dated: July 17, 2007

MORGAN, LEWIS & BOCKIUS LLP
REBECCA EISEN
JOHN S. BATTENFELD
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By /s/ Rebecca Eisen

Rebecca Eisen
Attorneys for Defendants SUNAMERICA
SECURITIES, INC., AND AIG FINANCIAL
ADVISORS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: July ²³____, 2007

The Honorable Phyllis J. Hamilton
United States District Court

